



PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

USGI-005-2A

First Inventor

VAHID SAADAT

Title

APPARATUS AND METHODS FOR FORMING AND  
SECURING GASTROINTESTINAL TISSUE FOLDS

Express Mail Label No.

EV291327323

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)  
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.  
3. ☒ Specification [Total Pages 105]  
(preferred arrangement set forth below)  
- Descriptive title of the invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure  
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 41]  
5. Oath or Declaration [Total Sheets \_\_\_\_\_]  
a. ☐ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)  
i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
name in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).  
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)  
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ Paper  
c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))  
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of  
(when there is an assignee) Attorney  
11. ☐ English Translation Document (if applicable)  
12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations  
13. ☐ Preliminary Amendment  
14. ☐ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)  
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)  
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.  
17. ☒ Other: Combined Dec/POA - unsigned.....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation☐ Divisional☒ Continuation-in-part (CIP)of prior application No.: 10/672,375.....

Prior application information:

Examiner \_\_\_\_\_

Art Unit: \_\_\_\_\_

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

Customer Number:

35023OR ☐

Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Nicola A. Pisano

Registration No. (Attorney/Agent)

34,408

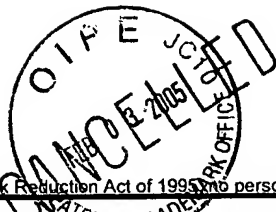
Signature

Date

12-12-05

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 518)

**Complete if Known**

|                      |                   |
|----------------------|-------------------|
| Application Number   | Unknown           |
| Filing Date          | December 12, 2003 |
| First Named Inventor | Vahid Saadat      |
| Examiner Name        | Unknown           |
| Art Unit             | Unknown           |
| Attorney Docket No.  | USGI-005-2A       |

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number: 50-2298  
Deposit Account Name: Luce, Forward, Hamilton & Scripps

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 770      | 2001         | 385      | Utility filing fee     | 385      |
| 1002         | 340      | 2002         | 170      | Design filing fee      |          |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$ 385) |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    | Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|--------------|----------------|----------|
| Total Claims       | 30           | -20** = 10   | X 9            | = 90     |
| Independent Claims | 4            | -3** = 1     | X 43           | = 43     |
| Multiple Dependent |              |              |                | = 0      |

| Large Entity          |          | Small Entity |          | Fee Description  |
|-----------------------|----------|--------------|----------|--|
| Fee Code              | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202                  | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201                  | 86       | 2201         | 43       | Independent claims in excess of 3                          |
| 1203                  | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |
| 1204                  | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |
| 1205                  | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$ 133) |          |              |          |  |

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051     | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |          |
| 1052     | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053     | 130      | 1053     | 130      | Non-English specification  |          |
| 1812     | 2,520    | 1812     | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804     | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805     | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251     | 110      | 2251     | 55       | Extension for reply within first month                                     |          |
| 1252     | 420      | 2252     | 210      | Extension for reply within second month                                    |          |
| 1253     | 950      | 2253     | 475      | Extension for reply within third month                                     |          |
| 1254     | 1,480    | 2254     | 740      | Extension for reply within fourth month                                    |          |
| 1255     | 2,010    | 2255     | 1,005    | Extension for reply within fifth month                                     |          |
| 1401     | 330      | 2401     | 165      | Notice of Appeal   |          |
| 1402     | 330      | 2402     | 165      | Filing a brief in support of an appeal                                     |          |
| 1403     | 290      | 2403     | 145      | Request for oral hearing   |          |
| 1451     | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452     | 110      | 2452     | 55       | Petition to revive - unavoidable   |          |
| 1453     | 1,330    | 2453     | 665      | Petition to revive - unintentional   |          |
| 1501     | 1,330    | 2501     | 665      | Utility issue fee (or reissue)   |          |
| 1502     | 480      | 2502     | 240      | Design issue fee   |          |
| 1503     | 640      | 2503     | 320      | Plant issue fee  |          |
| 1460     | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
| 1807     | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806     | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021     | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809     | 770      | 2809     | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810     | 770      | 2810     | 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801     | 770      | 2801     | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802     | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

**SUBMITTED BY**

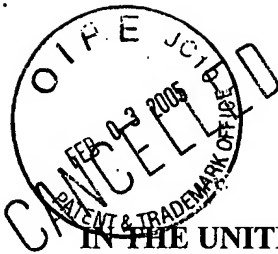
(Complete (if applicable))

|                   |                  |                                   |        |           |              |
|-------------------|------------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Nicola A. Pisano | Registration No. (Attorney/Agent) | 34,408 | Telephone | 858-720-6320 |
| Signature         |                  |                                   |        | Date      | 12-12-03     |

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Express Mail No. EV291327323US  
PATENT APPLICATION  
Atty. Docket No. USGI-005-2A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                |   |                         |
|--------------------------------|---|-------------------------|
| In re application of:          | ) |                         |
| Vahid Saadat, et al.           | ) |                         |
|                                | ) | Group Art Unit: Unknown |
| Serial No.: Unknown            | ) |                         |
| Filed: December 12, 2003       | ) | Examiner: Unknown       |
| For: APPARATUS AND METHODS FOR | ) |                         |
| FORMING AND SECURING           | ) |                         |
| GASTROINTESTINAL TISSUE        | ) |                         |
| FOLDS                          | ) |                         |

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

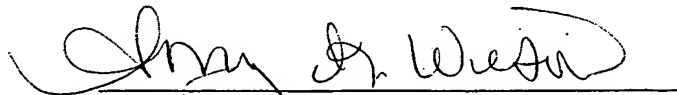
**CERTIFICATE OF EXPRESS MAILING**

Dear Sir or Madam:

"Express Mail" mailing label No. EV291327323US

Date of Deposit: December 12, 2003

I hereby certify that a Utility Patent Application Transmittal and Fee Transmittal (in duplicate), Utility Patent Application including the Specification and Claims (105 pages), Drawings (FIGURES 1A - 45 on 41 pages), Declaration and Power of Attorney for Patent Application, Application Data Sheet, and return postcard are being deposited with the U.S. Postal Service "Express Mail Post Office to the Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Amy K. Wilson

Mail Stop Patent Application  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Ser./Reg. No.:

Unknown

Our File No.:

US61-005412A (31150-1180)

Title:

Apparatus and Method

Applicant(s):

Vanid Saadat

Mailing Date:

December 12, 2003

The papers indicated below were received in the U.S. Patent & Trademark Office on the date stamped hereon:

☒ Patent application, including  
105 pages of Specifications, Claims and  
Abstract; and 41 sheets of Drawings  
(Figs. 1A to 45)  
☒ Application Data Sheet  
☒ Provisional Application Cover Sheet  
☒ Transmittal Letter  
☒ Fee Transmittal  
☒ Transmittal  
Check No. 140307 for \$ 385  
☒ Combined Declaration and Power of Attorney  
☒ Power of Attorney  
☒ Assignment w/Form PTO 1595  
☒ IDS w/Form 1449 (cited references)  
☐ Priority Document

☐ Amendment/Response  
☐ Petition for Extension of Time  
☐ Response to  
☐ Petition for  
☐ Preliminary Amendment  
☐ Amendment After Final Rejection  
☐ Notice of Appeal  
☐ Formal Drawings, \_\_\_ Sheets, Figs. \_\_\_ to \_\_\_  
☐ PCT Request  
☐ Chapter II Demand  
☐ PCT Fee Calculation Sheet  
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Commissioner of Patents  
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Alexandria, VA 22313-1450

Ser./Reg. No.:

Unknown

Our File No.:

US61-005412A (31150-1180)

Title:

Apparatus and Method

Applicant(s):

Vanid Saadat

Mailing Date:

December 12, 2003

The papers indicated below were received in the U.S. Patent & Trademark Office on the date stamped hereon:

☒ Patent application, including  
105 pages of Specifications, Claims and  
Abstract; and 41 sheets of Drawings  
(Figs. 1A to 45)  
☒ Application Data Sheet  
☒ Provisional Application Cover Sheet  
☒ Transmittal Letter  
☒ Fee Transmittal  
☒ Transmittal  
Check No. 140307 for \$ 385  
☒ Combined Declaration and Power of Attorney  
☒ Power of Attorney  
☒ Assignment w/Form PTO 1595  
☒ IDS w/Form 1449 (cited references)  
☐ Priority Document

☐ Amendment/Response  
☐ Petition for Extension of Time  
☐ Response to  
☐ Petition for  
☐ Preliminary Amendment  
☐ Amendment After Final Rejection  
☐ Notice of Appeal  
☐ Formal Drawings, \_\_\_ Sheets, Figs. \_\_\_ to \_\_\_  
☐ PCT Request  
☐ Chapter II Demand  
☐ PCT Fee Calculation Sheet  
☒ CERTIFICATE OF MAILING/  
EXPRESS MAIL NO.

EV291327323US

Other

LUCE, FORWARD, HAMILTON & SCRIPPS LLP Attorneys at Law

0003258

Commissioner of Patents

148303

| DATE                        | INVOICE NUMBER                   | MEMO | G/L NO.                       | AMOUNT       |
|-----------------------------|----------------------------------|------|-------------------------------|--------------|
| 12/12/2003                  | FILING.FEE.PISANO<br>31147- 1000 |      | 01 -01 -01312-00000<br>385.00 |              |
| CHECK<br>DATE<br>12/12/2003 | CHECK<br>NUMBER<br>000148303     |      |                               | TOTAL 385.00 |

LUCE, FORWARD, HAMILTON & SCRIPPS LLP

ATTORNEYS AT LAW • FOUNDED 1873

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and Trademarks

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*Laurence Bugh*  
MP  
AUTHORIZED SIGNATURE

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EV 291327323 US

Mailing Label  
Label 11-F June 2002

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